

REMARKS/ARGUMENTS

Claims 1-24 are pending in this application.

In the Office Action, the Examiner rejects claims 1-24 under 35 USC 103(a) as being unpatentable over Schwartz (US 6,473,609) in view of Johnson (US 5,553,094).

In response to the Office Action, Applicants narrow the scope of the claims to define mobile data capture devices. Support is found in paragraphs [001] and [003].

Schwartz (US 6,473,609) describes an interactive communication between mobile devices and a network, with the network having a link server (114, 300, 606, 900) or network server (104, 604). To solve deficiencies of mobile devices, an interface engine in the mobile device communicates with a control engine in the link server (eg. 114) over the network (102) and network server (104) via internet (eg. 100, 304). The control engine uses the computing resources of the link server and network server so that the control engine communicates with an interface engine of a mobile device using a compact data (i.e. SDD) format that is transportable via the wireless network. In other words, the control engine processes received data and reduces them to mobile "friendly" format which the mobile device can display. As a result, mobile devices with limited computing resources are able to interact with other devices through the internet and with a wide variety of wireless networks.

Johnson (US 5,553,094) describes a wide area communication network for sending data from a plurality of network service modules (such as utility meters) within a geographic area to a central data terminal (see column 6, lines 35-46). Each network service module includes NSM-receiver means, a NSM-transmitter means, NSM-processor means, NSM-memory means and an NSM-antenna (see column 7, lines 11-14) and the NSM data includes meter readings from a plurality of sensors (see column 7, lines 41-52). Obviously, the NSM data must come to known utility meters.

In contrast, the present invention, as defined by independent claim 1 or 21, relates to a network where an intermediate system facilitates data transfer from a mobile data capture device to a data requestor without the data requestor needing to know the identity of a responding mobile data capture device. This feature is not taught or suggested by Schwartz or Johnson; as such, it is improper for the Examiner to combine the disclosures of Schwartz and Johnson to render claims 1-24 obvious under §103(a); see KSR v Teleflex.

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With the above amendments and arguments, Applicants respectfully submit that the Examiner's rejection under 35 USC 103(a) are now traversed, and, therefore, request that a timely Notice of Allowance be issued to this case.

Respectfully submitted.

Lawrence YD Ho & Associates



By: _____

George D. Liu
Reg. No. 47,752
Tel. (703) 536-1713
Fax (703) 415-8601